

UNITED STATES DISTRICT COURT

Southern

District of

New York

BRIAN PORTERA

SUMMONS IN A CIVIL ACTION

V.

THE CITY OF NEW YORK et al.

CASE NUMBER: 05 Civ. 9985

TO: (Name and address of Defendant)

SEE RIDER

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Jonathan Moore, Esq
Rachel Kleinman, Esq
Beldock Levine & Hoffman LLP
99 Park Avenue, Suite 1600
New York, New York 10016

an answer to the complaint which is served on you with this summons, within _____ days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

CLERK

(By) DEPUTY CLERK

DATE

JAN 29 2008

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE
NAME OF SERVER (<i>PRINT</i>)	TITLE

Check one box below to indicate appropriate method of service

Served personally upon the defendant. Place where served:

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left:

Returned unexecuted:

Other (specify):

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL \$0.00
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____ Date _____ Signature of Server _____

Address of Server _____

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
BRIAN PORTERA, x
Plaintiff, x SUMMONS RIDER
-against- x 05-CV-9985 (RJS) (JCF)
x
THE CITY OF NEW YORK, et al., x ECF CASE
Defendants x
-----x

The names and addresses of defendants are as follows:

The City of New York
Represented by the New York City Law Department
100 Church Street
New York, New York 10007

Michael Bloomberg
Represented by the New York City Law Department
100 Church Street
New York, New York 10007

Raymond Kelly
Represented by the New York City Law Department
100 Church Street
New York, New York 10007

Stephen Hammerman
One Police Plaza
Legal Bureau, Room 1406
New York, NY 10038

Thomas Doepfner
One Police Plaza
Legal Bureau, Room 1406
New York, NY 10038

Ruby Marin-Jordan
One Police Plaza
Legal Bureau, Room 1406
New York, NY 10038

Joseph Esposito
One Police Plaza
Legal Bureau, Room 1406
New York, NY 10038

Thomas Graham
One Police Plaza
Legal Bureau, Room 1406
New York, NY 10038

John J. Colgan
One Police Plaza
Legal Bureau, Room 1406
New York, NY 10038

Dermot Shea
50th Precinct
3450 Kingsbridge Road
Bronx, New York 10463

Moises Martinez
Represented by the New York City Law Department
100 Church Street
New York, New York 10007

John Does 1-10, Richard Roes 1-10
Represented by the New York City Law Department
100 Church Street
New York, New York 10007

Dated: January 28, 2008
New York, New York



JONATHAN C. MOORE (JM 6902)
RACHEL KLEINMAN (RK 2141)

Beldock Levine & Hoffman LLP
99 Park Avenue, Suite 1600
New York, New York 10016
(212) 490-0400
Attorneys for the Plaintiff

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BRIAN PORTERA,

Plaintiffs, 05-CV-9985 (RJS) (JCF)

-against-

AFFIDAVIT OF SERVICE

ECF Case

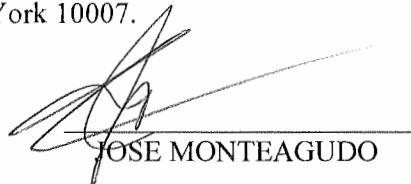
THE CITY OF NEW YORK, a municipal entity, et al.,

Defendants.

STATE OF NEW YORK)
)
) ss.:
COUNTY OF NEW YORK)

JOSE MONTEAGUDO, being duly sworn, deposes and says: that deponent is not a party to the action, is over 18 years of age, and is employed by BELDOCK LEVINE & HOFFMAN LLP, 99 Park Avenue, 16th Floor, New York, New York 10016.

That on January 31, 2008, deponent served on plaintiff's **FIRST AMENDED SUMMONS and RIDER and FIRST AMENDED COMPLAINT** on defendants City of New York, Michael Bloomberg, Raymond Kelly, Moises Martinez, John Does 1-10 and Richard Roes 1-10, by hand delivering true copies thereof to defendants' counsel James Mirro at the Office of Corporation Counsel, 100 Church Street, New York, New York 10007.



JOSE MONTEAGUDO

Sworn to before me, this
13th day of March, 2008

NOTARY PUBLIC

JULIE ANN RUSSELL
Notary Public, State of New York
No. 01RU6177371
Qualified in Kings County
Commission Expires Nov. 13, 2011